

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

STEPHANIE C. MOHR,

Petitioner,

v.

CIVIL ACTION NO. 5:10-cv-01365

MYRON L. BATT,

Respondent.

MEMORANDUM OPINION AND ORDER

The Court has reviewed the *Petition of Stephanie C. Mohr for a Writ of Habeas Corpus Pursuant to 28 U.S.C. 2241* (Document 1), brought on the grounds, *inter alia*, that the Bureau of Prisons is improperly denying her placement in a Residential Re-Entry Center (“RRC”) for twelve months.

By *Standing Order* (Document 2) entered on December 8, 2010, this action was referred to the Honorable R. Clarke VanDervort, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636. On September 13, 2011, the Magistrate Judge submitted *Proposed Findings and Recommendation* (Document 11) wherein it is recommended that this Court dismiss Petitioner’s application for a writ of habeas corpus and remove this matter from the Court’s docket.

Magistrate Judge VanDervort advised the parties that any objections to the PF&R were due on September 30, 2011. To date, neither party has filed any objections to the Magistrate Judge’s *Proposed Findings and Recommendation*. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of

the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and the Petitioner's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation* (Document 11), and **ORDERS** that the *Petition by Stephanie C. Mohr for a Writ of Habeas Corpus Pursuant to 28 U.S.C. 2241* (Document 1) be **DISMISSED** and that this matter be **REMOVED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge VanDervort, to counsel of record and to any unrepresented party.

ENTER: October 6, 2011



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA